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DEC 14 2004

Atty. Docket No. 15331

PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
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Katrina L. McCLELLAND, ET AL.)	Examiner: Christopher J. Novosad
	:	
Appln. No. 10/602,748)	Art Unit: 3671
	:	
Filing Date: June 24, 2003)	Confirm. No.: 9994
	:	
Title: MODULAR BACKHOE- EXCAVATOR CONTROL STATION)	December 14, 2004
	:	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

EOT (2)
S.

AMENDMENT AND EXTENSION OF TIME

Dear Sir:

In response to the Office Action mailed July 14, 2004, Applicants request a two-month extension of time and consideration of this Amendment to the above-identified application, in which:

The section entitled "Changes to the Claims" begins on page 2; and

The section entitled "Remarks" begins on page 8.

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FC:2252

U.S. Patent Appl'n. No. 10/602,748
Response to Office Action Dated July 14, 2004
Am't Dated December 14, 2004

With regard to claim 9, Kelley et al. does not disclose or suggest first and second control towers and *an adjuster assembly* configured to lock the control towers in different fore-and-aft pivotal positions.

With regard to claim 14, not one of Lorenz, Feldman et al., Kelley et al., Grigg, Sartler et al. and Kamen discloses or suggests a pair of control towers, a pair of joysticks and *a pair of one-piece elastomeric boots surrounding the pair of control towers*.

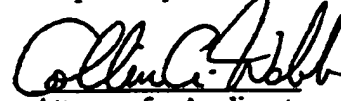
In light of the foregoing, Applicants submit that independent claims 1 and 14 are allowable over each of Lorenz, Feldman et al., Kelley et al., Grigg, Sartler et al. and Kamen or any combination of them, and claim 9 is allowable over Kelley et al. Moreover, the dependent claims are deemed allowable over them by virtue of their dependence from the independent claims and the additional features the dependent claims recite. Accordingly, Applicants request withdrawal of the rejections.

No fee, other than the \$450 fee for the extension of time, is believed due in connection with this paper. However, should it be determined that any additional fee is due, the Commissioner is authorized to charge the fee to Deposit Account No. 14-0780.

Applicants' undersigned attorney may be reached in our New Holland, Pennsylvania office by telephone at (717) 355-4954.

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Respectfully submitted,


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